

House File 301 - Introduced

HOUSE FILE 301
BY HEATON

A BILL FOR

1 An Act authorizing peace officers employed by the department of
2 transportation to make arrests for violations relating to
3 the operation of motor vehicles.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80.22, Code 2017, is amended to read as
2 follows:

3 **80.22 Prohibition on other departments.**

4 ~~All~~ Except as provided in sections 321.476 and 321.477,
5 all other departments and bureaus of the state are ~~hereby~~
6 prohibited from employing special peace officers or conferring
7 upon regular employees any police powers to enforce provisions
8 of the statutes which are specifically reserved by 1939 Iowa
9 Acts, ch. 120, to the department of public safety. ~~But~~
10 However, the commissioner of public safety shall, upon the
11 requisition of the attorney general, from time to time assign
12 for service in the department of justice such of its officers,
13 not to exceed six in number, as may be requisitioned by the
14 attorney general for special service in the department of
15 justice, and when so assigned such officers shall be under the
16 exclusive direction and control of the attorney general.

17 Sec. 2. Section 321.477, Code 2017, is amended to read as
18 follows:

19 **321.477 Employees as peace officers — maximum age.**

20 1. The department may designate by resolution certain of
21 its employees upon each of whom there is ~~hereby~~ conferred the
22 authority of a peace officer to control and direct traffic and
23 weigh vehicles, and to make arrests for violations of the motor
24 vehicle laws relating to the operation of motor vehicles on the
25 highways of this state, the operating authority, registration,
26 size, weight, and load of motor vehicles and trailers, and the
27 registration of a motor carrier's interstate transportation
28 service with the department.

29 2. The maximum age for a person employed as a peace officer
30 pursuant to this section is sixty-five years of age.

31 **EXPLANATION**

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 Under current law, departments and bureaus of the state,
35 other than the department of public safety (DPS), are

1 prohibited from employing special peace officers or conferring
2 upon regular employees any police powers to enforce laws which
3 are specifically reserved to DPS, including those laws related
4 to traffic on the public highways of the state. However,
5 certain employees of the department of transportation (DOT)
6 may be designated as peace officers authorized to control
7 and direct traffic and weigh vehicles, and to make arrests
8 for violations of the motor vehicle laws relating to the
9 operating authority, registration, size, weight, and load of
10 motor vehicles and trailers, and the registration of a motor
11 carrier's interstate transportation service with the DOT.

12 This bill authorizes peace officers employed by the DOT to
13 make arrests for violations of the motor vehicle laws relating
14 to the operation of motor vehicles on the highways of the
15 state.